

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

JEFFREY NEWTON,

Plaintiff,

V.

Case No. CV409-147

PRISON HEALTH SERVICES,

Defendant.

REPORT AND RECOMMENDATION

Plaintiff filed the above-captioned 42 U.S.C. § 1983 civil rights action against the defendants on September 22, 2009. Doc. 1. The Court granted him leave to proceed in forma pauperis ("IFP"), but directed him to complete and return both a Prison Trust Fund Account Statement form and a Consent to Collection of Fees from Trust Account form before the case could proceed. Doc. 3. The order further advised that if he failed to return the forms within thirty days, the Court would presume that he wished to dismiss his complaint without prejudice. *Id.* at 5.

Plaintiff never returned the required forms. Because the thirty-day deadline expired for complying with this Court's explicit directions has

expired, plaintiff's § 1983 complaint should be **DISMISSED WITHOUT PREJUDICE.**

SO REPORTED AND RECOMMENDED, this 6th day of January, 2010.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT of GEORGIA